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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fernandez, et al.
Assignee: Individually Held
Title: "Integrated Network for Monitoring Remote Objects"
Serial No.: 09/823,506
Examiner: Kenneth Wieder
Attorney Docket No.: FERN-P001D

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**SUPPLEMENT TO PETITION TO MAKE SPECIAL
INVENTIONS FOR COUNTERING TERRORISM
(37 CFR 1.102 and MPEP § 708.02)**

This request for reconsideration responds to the Office Action filed 4/7/2003, wherein Examiner denies the petition to make special under MPEP § 708.02 XII: Special Status for Applications Relating to Biotechnology Filed by Applicants who are Small Entities.

Although the petition denial states that the invention is "generally directed to remote monitoring and surveillance using a digital network," this does not bar the invention to apply to biotechnology. Instead, the network is purposely aimed at biotechnology usage. Biotechnology applies to more than simply "biology and the use of microorganisms," but also applies to the

convergence of engineering and technology to the life sciences, such as biosensors, bioinformatics, biochips, etc.

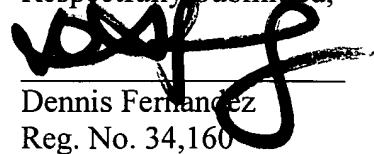
Detectors and sensors are used interchangeably (page 6, line 7) and are comprehensively defined to include biochips and biosensors (page 7, lines 1-4). A key purpose of the invention is to be implemented in “non-imaging physical sensor manner,” such as monitoring “mental activity, medication level, and other similarly monitorable information and signals” (page 7, lines 10-15). An example of measuring mental activity could be carried out specifically by the detectors 3 by assessing the neurological activity through neurotransmitter concentrations. Similarly medication levels would be detected and monitored using biosensors, measuring cellular-pharmaceutical interactions and uptake. “Similarly monitorable information” broadly applies to other biological measurements, such as insulin levels and blood sugar levels, hormonal activity, tumor cell proliferation, etc. It would be impracticable and overly burdensome to enumerate the full scope of the invention’s biotechnological purposes in the specifications. Instead the use of biosensors and biochips for general-purpose biotechnological monitoring were deliberately implied within the invention’s scope.

While the denial asserts that medical monitoring was mentioned as an “application example,” the specifications actually refer to numerous biotechnological functions in multiple instances. The specifications apply the invention to “medical instrumentation for observing or attachable to patient” (page 11, line 21-23). Given the current technology of embedded biochips in livestock and eventually humans for insulin regulation as examples, “attachable medical instrumentations” would necessarily include biosensors that would signal to the invention’s network. Additionally, the specifications describe medical monitoring and diagnosis of patients from monitored signals (page 26, lines 24-26). Diagnosis and monitoring are currently

performed at the molecular level, whether it be monitoring antibody response to viral, bacterial, or fungal microorganisms or measuring native enzymatic activity. Therefore medical diagnosis and monitoring inherently implies molecular monitoring through the detectors and network of the invention.

The biotechnological application is paramount to the objective of the "integrated network for monitoring remote objects," as using the sensors and network for biological monitoring and maintenance can substantially expedite the state of the healthcare system. It is of no consequence that other applications are given as examples; the invention substantially relates to the biotechnological field and biotechnological monitoring. Broad biological and medical usages were enumerated for practical purposes, preventing a list and explanation of every possible biotechnological usage. Thus biotechnological objectives are principal to the purpose of the "integrated network for monitoring remote objects." In light of the foregoing arguments, Applicants respectfully requests reconsideration.

Respectfully Submitted,



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